IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL
ORIGINAL JURISDICTION

Dated: Nainital the 3rd day of July, 2006
Criminal Misc. Bail Application No. 1179 of 2005
Order on the bail application of accused

CRIMINAL SIDE

Sri Gopal Puri S/o Sri Bach Puri
R/o Nagla, Pantnagar
P.S. Rudrapur
District Udham Singh Nagar .....Applicant

Versus

State of Uttaranchal ....Opposite Party

Arising out of case crime No. 847 of 2005
Under Sections 302 of I.P.C. and 2/3 Gangster Act
Police Station Lalkuwa

By the court

Hon'ble B.C. Kandpal, J.

The applicant has applied for bail in case crime No. 847 of 2005 under Section 302 of I.P.C. and 2/3 gangster Act, Police Station Lalkuwa, District Nainital.

Heard Sri Kailash Joshi, learned counsel for the applicant, Sri Lalit Sharma, learned counsel for the complainant, learned A.G.A. and perused the record.

The first Information Report reveals that the applicant – Gopal Pauri was having a *Patal/Sword* in his hand and he caused the injuries with his weapon on the person of the deceased – Mahesh Chandra Pant.

The post mortem report of the deceased indicates that he has sustained several incised wounds on his person. The First Information Report lodged in this case is not belated and the ocular version is corroborated with the medical evidence.

In view of the aforesaid circumstances, I do not find any ground to disbelieve the prosecution case at this stage.

Accordingly, the bail application is rejected.

(B.C. Kandpal, J.)

03.07.2006
ASWAL